

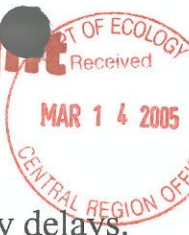


Emergency Drought Action

State of Washington

Application for a Water Right

Please follow the attached instructions to avoid unnecessary delays.



For Ecology Use	
Fee Paid	0
Date	3/14/05
Chk #	14635
Receipt #	203493

Section 1. APPLICANT - PERSON, ORGANIZATION, OR WATER SYSTEM

Name WACO Orchards, LLC Home Tel: (509) 877-4773
Mailing Address 490 Vista Ridge Rd. Work Tel: (509) 877-4773
City Wapato State WA Zip+4 98951 + 9676 FAX: (509) 877-7586

Section 2. CONTACT - PERSON TO CALL ABOUT THE APPLICATION

☐ Same as above

Name Gary Writer Home Tel: (509) 877-2648
Mailing Address 490 Vista Ridge Rd. Work Tel: (509) 877-4773
City Wapato State WA Zip+4 98951 + 9676 FAX: (509) 877-7586
Relationship to applicant Member/Registered Agent: WACO LLC, Skynuc Orchards LLC

Section 3. STATEMENT OF INTENT

The applicant requests a permit to use not more than 1000 (☒ gallons per minute or ☐ cubic feet per second) from a ☐ surface water source or ☒ ground water source (check only one) for the purpose(s) of irrigation supplement to Roza IRR. DISTR. provided reduced allotment ATTACH A "LEGAL"
DESCRIPTION OF THE PLACE OF USE. (See instructions.) NOTE: A tax parcel number or a plat number is not sufficient. (see attached map and legal descriptions for affected parcels A, B, C, D and E.)
Estimate a maximum annual quantity to be used in acre-feet per year: 473 acre-ft.
(see addendum on Back Page of this application)
☒ Check if the water use is proposed for a short-term project. Indicate the period of time that the water will be needed:
From 5/1/05 to 10/20/05

Section 4. WATER SOURCE

If SURFACE WATER	If GROUNDWATER
Name the water source and indicate if stream, spring, lake, etc. If unnamed, write "unnamed spring," "unnamed stream," etc.:	A permit is desired for <u>three (3)</u> well(s).
Number of diversions: <u>NA</u>	① Existing well: Cert. # G4-24568C - WACO/Vista Ridge Orch.
Source flows into (name of body of water): <u>NA</u>	② Existing well: Cert. # G4-29536C - SKYNUC Orch.
	③ Proposed Additional Point of Withdrawal
	Size & depth of well(s): ① & ② see existing certificates
	③ Proposed 12" to 10" casing to approx. 500-600 ft.

LOCATION

Enter the north-south and east-west distances in feet from the point of diversion or withdrawal to the nearest section corner:
① Existing # G4-24568C, from NE corner of 32-12-20: 1900 ft. South, 400 ft. West
② Existing # G4-29536C, from NE corner of 33-12-20: 2200 ft. South, 2600 ft. West
③ Proposed additional, from NE corner of 32-12-20: 700 ft. South and 50 ft. West

1/4 of	1/4 of	Section	Township	Range(E/W)	County	If location of source is platted, complete below: <u>NA</u>		
①	SE	NE	32	12N	20	Yakima	Lot	Block
②	SW	NE	33	12N	20	Yakima	} see map attached for well locations	
③	NE	NE	32	12N	20	Yakima		

For Ecology Use Date Received: MARCH 14, 2005 Priority Date: MARCH 14, 2005 YAKIMA
SEPA: ☒ Exempt/Not Exempt FERC License # _____ Dept. Of Health # _____
Date Accepted As Complete 03/15/05 By [Signature] Date Returned _____ By _____ WRIA: 37

Section 5. GENERAL WATER SYSTEM INFORMATION

A. Name of system, if named: NA

B. Briefly describe your proposed water system. (See instructions.)

(Also see addendum on Back Page of this application)

Irrigation water for orchard to supplement the prorated reduced allotment from the Roza Irr. Distr. will be drawn from the two listed existing certificated wells and/or from the proposed "additional point of withdrawal" which is expected to utilize a 75 to 100 HP turbine pump capable of lifting 1000 GPM from a depth of 250 to 300 ft. Distribution would be through existing irrigation systems.

C. Do you already have any water rights or claims associated with this property or system? ☒ YES ☐ NO
PROVIDE DOCUMENTATION. SEE EXISTING GROUNDWATER CERTIFICATES
G4-24568C and # G4-29536C

Section 6. DOMESTIC / PUBLIC WATER SUPPLY SYSTEM INFORMATION (Completed for all domestic/public supply uses.)

A. Number of "connections" requested: _____ Type of connection _____ (Homes, Apartment, Recreational, etc.)
B. Are you within the area of an approved water system? ☐ YES ☐ NO
If yes, explain why you are unable to connect to the system. Note: Regional water systems are identified by your County Health Department.

Complete C. and D. only if the proposed water system will have fifteen or more connections.

C. Do you have a current water system plan approved by the Washington State Department of Health? ☐ YES ☐ NO
If yes, when was it approved? _____ Please attach the current approved version of your plan.
D. Do you have an approved conservation plan? ☐ YES ☐ NO
If yes, when was it approved? _____ Please attach the current approved version of your plan.

Section 7. IRRIGATION/AGRICULTURAL/FARM INFORMATION (Complete for all irrigation and agriculture uses.)

A. Total number of acres to be irrigated: 183.2

B. List total number of acres for other specified agricultural uses:

Use NA Acres _____
Use _____ Acres _____
Use _____ Acres _____

C. Total number of acres to be covered by this application: 183.2 (Also see addendum on Back Page of this application)

D. Family Farm Act (Initiative Measure Number 59, November 3, 1977)
Add up the acreage in which you have a controlling interest, including only:
‡ Acreage irrigated under water rights acquired after December 8, 1977;
‡ Acreage proposed to be irrigated under this application;
‡ Acreage proposed to be irrigated under other pending application(s).

1. Is the combined acreage greater than 6000 acres? ☐ YES ☒ NO
2. Do you have a controlling interest in a Family Farm Development Permit? ☐ YES ☒ NO
If yes, enter permit no: _____

E. Farm uses:
Stockwater - Total # of animals NA Animal type _____ (If dairy cattle, see below)
Dairy - # Milking _____ # Non-milking _____

Section 8. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water?

☐ YES ☒ NO

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point, and some portion of the storage will be above grade, you must also apply for a reservoir permit. You can get a reservoir permit application from the Department of Ecology.

Section 9. DRIVING DIRECTIONS

Provide detailed driving instructions to the project site.

East out of Yakima on I-82: Exit 40 and head east on old Hiway 12 to town of Sawyer. Turn left (north) onto Lombard Loop Road. Go approx. $2\frac{1}{4}$ miles to Vista Ridge Road. Turn left (North) onto Vista Ridge Rd. and follow orchard roads to well sites and/or Orchard office Trailer (left after 1st $\frac{1}{4}$ mile).

Section 10. REQUIRED MAP

A. Attach a map of the project. (See instructions.)

(Also see addendum listing parcels affected on back page of this application.)

Section 11. PROPERTY OWNERSHIP

A. Does the applicant own the land on which the water will be used?

☒ YES ☐ NO

If no, explain the applicant's interest in the place of use and provide the name(s) and address(es) of the owner(s):

Affected parcels A, B and C are owned by applicant, WACO Orchards.

* Parcel D is owned by Wanda Wilson, 620 Nightingale Rd., Wapato, WA, 98951.

Applicant, WACO Orchards, is managing owner/member of Skymie Orchards, LLC, which owns Parcel E, and Existing well #2 (Cert. # G4-29536C).

*(Parcel D is Leased and farmed by Applicant, WACO Orchards, LLC.)

B. Does the applicant own the land on which the water source is located?

☒ YES ☐ NO

If no, submit a copy of agreement:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though I may have been assisted in the preparation of the above application by the employees of the Department of Ecology, all responsibility for the accuracy of the information rests with me.

Gary K. Sub, Member
Applicant (or authorized representative)
WACO Orchards, LLC

3/14/05
Date

same
Landowner for place of use (if same as applicant, write "same")

Date

ADDENDUM: Parcels affected and General Water System Information

Use this page to continue your answers to any questions on the application. Please indicate section number before answer. Parcels which will receive Emergency Drought well water as supplement to provated Roza District allotments. (see attached map, Legal Descriptions and Roza assessment documentation.)

Parcel A - WACO orchards : Roza Assessment = 53.8 acres
Parcel B - WACO orchards : Roza Assessment = 32.0 acres
Parcel C - WACO orchards : Roza Assessment = 24.5 acres
Parcel D - WACO Lease from Wilson : Roza Assessment = 33.1 acres
Parcel E - WACO owns with skyvue Orch. : Roza Assessment = 39.8 acres

* Total Roza Assessed Acres Involved = 183.2 acres

* (Roza's estimated minimum provated delivery expected to be 14% , or 0.42 ac.-ft. of the assessed 3.0 ac.ft per acre of land; therefore the supplemental Drought Emergency water needed is (2.58 ac.ft. per acre) x (183.2 acres), or, 473 acre-ft. for the season at estimated average flow rate of 715 GPM and estimated maximum flow rate of 1000 GPM.

We are returning your application for the following reason(s):	
Examination fee was not enclosed	APPLICANT PLEASE RETURN TO CASHIER, PO BOX 5128, LACEY, WA 98509-5128
Section number(s) _____ is/are incomplete	APPLICANT PLEASE RETURN TO THE APPROPRIATE REGIONAL OFFICE
Explanation:	
Please provide the additional information requested above and return your application by _____ (date).	

Ecology staff _____ Date _____

Ecology is an Equal Opportunity employer. To receive this document in alternative format, contact the Water Resources Program at (360) 407-6604 (Voice) or (360) 407-6006 (TDD).